IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION No. 16316 of 2004

Between:

1 B.Ramu, s/o Ramulu r/o Gottamangalapuram Village and Post,

Palakonda Mandal, Srikakulam District.
2 Vavilapalli Jagannadham, s/o V.Chandrayya,
r/o Gottamangalapuram Village and Post, Palakonda Mandal, Srikakulam District.
3 P.Varahala Naidu, s/o Swami Naidu,
r/o Gottamangalapuram Village and Post, Palakonda Mandal, Srikakulam District.
4 Bejjipurapu Surapu Naidu, s/o B.Krishna Murthy,
r/o Gottamangalapuram Village and Post, Palakonda Mandal, Srikakulam District.

..... PETITIONERS

AND

1 The Transmission Corporation of Andhra Pradesh Limited

rep., by its Chair Person and Managing Director,
Vidyut Soudha, Hyderabad.
2 The Chairman & Managing Director, A.P.E.P.D.C.L., Visakhapatnam.
3 The Superintending Engineer, Operation Circle, E.P.D.C.L.,
Srikakulam-532 001.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate writ, order or direction preferably a writ in the nature of writ of mandamus, declaring the action of the respondents in not considering the cases of the petitioners to the posts of Junior Linemen sanctioned vide T.O.O.(CGM-HRD) MS.NO.262 (Personnel Services) dt.10-2-2004 issued by the 1st respondent, despite the fact that the petitioners were already interviewed and having the requisite qualification, as being arbitrary, illegal and violative of Article 14 of the Constitution of India and consequently direct the respondents to consider the case of the petitioners to the posts of Junior Linemen as sanctioned in the above order.

Counsel for the Petitioner: MR.M.VISWANADHAM
Counsel for the Respondents: Mr. M.SUBBARAO (SC FOR APEPDCL).

The Court at the admission stage made the following:

ORDER:

The petitioners contend that they worked as contract labour for more than six years under the respondents Corporation. They further contend that they are eligible for appointment as Junior Linemen.

2. The petitioners further contend that the respondents conducted interviews to the petitioners between 20.06.1998 to 23.06.1998 for the post of Junior Linemen as per G.O.Ms.No.36, dated 18.05.1997. In the said recruitment, the selection was made as per whims and fancies of the respondents. Since the other candidates approached this Court and got orders directing to consider their cases, they were called for interviews only in empty formality, but did not select any of them. The petitioners further contend that in terms of Memo No.1138/86-1, dated 26.08.1986, the respondents absorbed the Ex-casual labourers on the basis of number of man-days, who have possessed the requisite qualification to hold such posts.

3. The petitioners further contend that at the time of interview, after their becoming successful in the events set out in the interview, they were not given appointment orders on the ground that there are no vacancies. The petitioners contend that the 1st respondent sanctioned 44 vacancies through the order dated 10.02.2004, and the respondents without considering the candidature of the petitioners, want to select fresh candidates. Therefore, with the said apprehension, the petitioners approached this Court, praying to direct the respondents to consider the cases of the petitioners to the posts of Junior Linemen, sanctioned by the 1st respondent through the order dated 10.02.2004.

4. In the light of the contentions of the petitioners that they were qualified for the posts of Junior Linemen, that they worked for more than six years, and they are ready to place whatever material that is likely to be placed for the purpose of selection, the respondents are directed to consider the cases of the petitioners also at the time of filling up the posts of Junior Linemen, sanctioned

through the order dated 10.02.2004, and pass appropriate orders according to the existing rules.

5. The Writ Petition is, accordingly, disposed of.

Note:

Issue CC in 3 days

B/o

dsr/cs

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

1. The Chairman & Managing Director,

The Transmission Corporation of

Andhra Pradesh Limited,

Vidyut Soudha, Hyderabad

2. The Chairman & Managing Director,

A.P.E.P.D.C.L.Visakhapatnam

3. The Superintending Engineer,

Operation Circle, E.P.D.C.L,

Srikakulam – 532 001

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